

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DOCKET NO: 14-CR-10307-DPW

MICHAEL GORDON

DEFENDANT'S MOTION FOR RELEASE ON CONDITIONS

Now comes the defendant through counsel and pursuant to Title 18 U.S.C. § 3142, respectfully requests that the Court release him pursuant to conditions. The defendant proposes certain conditions below. The undersigned submits that these conditions are sufficient to ensure the defendant's appearance at future Court hearings, events and a possible trial in this case; and sufficiently address the statutory rebuttable presumptions of risk of flight and danger to the community.

Biographical Information:

The undersigned anticipates that the Pre-Trial Services department will report the following information to the Court concerning the defendant's personal background. Mr. Michael Gordon is a 45 year old naturalized citizen who has lived in Massachusetts since 1987.

Mr. Gordon has been gainfully employed since emigrating here from Jamaica at the age of 18. He has worked full time positions over the years at Berkeley College of Music, as a machine operator at the Gillette manufacturing facility in South Boston, and as a mechanic before working for himself in the car business. Mr. Gordon has owned and operated Mike's Auto Sales and repairs at 379 Bowdoin Street in Dorchester for approximately 10 years.

Mr. Gordon has strong family ties to Boston. He was married to Violet Gordon for many years and the two are the parents of two adult daughters and an eight year old son. Ms. Gordon and the children reside at 43 Rockdale Street in Mattapan. Robert Gordon maintains a strong and active relationship with his children. Michael Gordon is the father of other children who all live in the Boston area. His present significant other is pregnant.

While the undersigned has not reviewed the defendant's criminal record, he believes it is not significant.

Mr. Gordon appears as a good candidate for release on conditions pursuant to traditional factors enumerated in the federal bail statute. He has significant roots in the community, strong family ties, history of legitimate employment and not a serious criminal record.

Mr. Gordon suffered a major medical event in 2011 when he suffered from liver failure. He received a liver transplant at the time. He was hospitalized for 7 weeks. Since the transplant he has recovered and is on medication and treated as an outpatient. Following his recent incarceration he has not received proper medication. Since his arrest last week he has begun to experience worsening liver conditions, including discolored urine and other physical symptoms. The undersigned will try to supplement this memorandum with medical records to corroborate his medical condition. His medical situation can and should be considered as an additional factor for the Court to consider in determining whether he should be released.

Suggested Conditions:

The undersigned argues that conditions can be set to ensure the defendant's appearance at future Court events and address concerns of danger to the community. The undersigned suggests the following conditions:

1. That an appearance bond in the amount of \$100,000 (one hundred thousand dollars) secured with a mortgage (or attachment) to Ms. Violet Gordon and her residence of 43

Rockdale Street, in Mattapan, Massachusetts. Ms. Gordon is prepared to execute a mortgage and escrow agreement with the Clerk's Office of the United States District Court in this amount. Ms. Gordon will satisfy all other requirements of posting real estate as set forth by the Clerk's office criteria for posting real estate as bail;

2. That the defendant execute an unsecured bond in the amount of \$100,000 (one hundred thousand dollars);
3. That the defendant be subject to electronic monitoring during the pendency of the case;
4. That the defendant report in person or by telephone with the Office of Pre Trial Services on a weekly basis during the pendency of this case;
5. That the defendant refrain from violating any federal or state laws;
6. That the defendant surrender any passport he possesses. If the defendant does not possess such a passport, he agrees to not apply for any such passport while out on release during the pendency of this case;
7. That the defendant refrain from any contact with any witness associated with the pending prosecution against him;
8. That the defendant not possess a firearm or other dangerous weapon;
9. That the defendant not travel outside the State of Massachusetts without seeking permission from the Court;
10. And any other further condition the Court believes appropriate to ensure the defendant's appearance at trial.

Wherefore, the defendant respectfully requests that he be released from custody during the pendency of this matter pursuant to the conditions referenced above and any other conditions that the Court deems appropriate.

Respectfully submitted,
Michael Gordon,
by his lawyer,

Date _____

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CERTIFICATE OF SERVICE

I, William Keefe, hereby certify a copy of the attached Defendant's Motion for Release on Conditions was electronically filed with the United States Attorney, United States Attorney's Office, 1 Courthouse Way, Boston, Ma 02210, today, November 11, 2014.

/s/William Keefe